

E-FILED 7/20/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RICHARD L. CARRIZOSA, et al.,

NO. C 05-2280 RMW (RS)

Plaintiffs,

**ORDER RE PROTECTIVE
ORDER**

v.

PAUL R. STASSINOS, et al.,

Defendants.

On June 6, 2006, the Court entered an order directing, among other things, that “[t]he parties shall meet and confer to negotiate a protective order to address any confidentiality concerns.” Given that the parties previously stipulated to entry of protective order entered in the related case, 04-3026 RMW (RS), the Court anticipated that this would be a routine matter, and that a similar, if not identical from of general protective order would promptly be jointly submitted by the parties for entry in this action.

Defendants have now instead filed an “ex parte application for a protective order, or alternatively ex parte order for an order shortening time to hear a motion for protective order.” Defendants have presented no grounds for bringing an “ex parte application” as that term is used in the Local Civil Rules, See Local Civil Rule 7-10. As defendants’ papers were filed electronically, however, plaintiffs have received notice, and the application was *not* made “ex parte” within the

1 meaning of Rule 7-10. Construing defendants' request as a motion under Local Rule 6-3 for an
2 order shortening time, the Court concludes that this matter should be resolved expeditiously and
3 without protracted briefing or a hearing. Accordingly, pursuant to Local Rule 6-3 (d), Plaintiffs are
4 directed to file within 10 court days a brief, not exceeding five pages in length, explaining any
5 reasons they may have as to why the Court should not enter a protective order in this action identical
6 in form to the order entered in the related action. Alternatively, and preferably, the parties shall
7 submit a stipulated form of protective order within that same time period, and they are hereby
8 directed to engage in further meet and confer discussions in an attempt to do so.

9
10 IT IS SO ORDERED.

11 Dated: July 20, 2006


RICHARD SEEBORG
United States Magistrate Judge

THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the Court's CM/ECF program.

Dated: 7/20/06

Chambers of Judge Richard Seeborg

By: /s/ BAK